REMARKS

This Amendment is prepared in response to the first Office action mailed on 12 June 2006 (Paper No. 20060525). Upon entry of this amendment, claims 1 through 20 will be pending. Applicant has amended claims 1, 7 and 9 by this amendment and has newly added claims 19 and 20 by this amendment.

In paragraphs 1 through 3 of Paper No. 20060525, the Examiner objected to claims 1 and 9. Applicant has amended claims 1 and 9 as suggested by the Examiner by this amendment to overcome these claim objections.

Rejection of Claims 1-6 under 35 U.S.C. §112, second paragraph

In paragraph 4 of Paper No. 20060525, the Examiner rejected claims 1-6 under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 1 by this amendment to overcome this rejection.

Rejection of Claims 1-3, 7-9, 12-15 and 17-19 under 35 U.S.C. §103(a)

In Paper No. 20060525, the Examiner has rejected claims 1-3, 7-9, 12-15 and 17-19 under 35 U.S.C. §103(a) as being unpatentable over Kidder *et al.* (U.S. 6,694,450) in view of Middleware. Applicant has amended claims 1 and 7 by this amendment making this

rejection moot.

Applicant has amended claims 1 and 7 and has added claims 19 and 20 to emphasize features of Applicant's invention not present in the applied prior art. These features include: 1) backup units actually serving to process events as opposed to just supplying an image to a restored primary unit, 2) that the backup units only process events already started by a malfunctioning primary unit, 3) that the system does not distribute new events to a functioning backup unit for processing (loadsharing only between non-malfunctioning primary units and not between functioning backup units) and 4) that there is a one-to-one correspondence between primary and backup units.

Applicant submits that Kidder, in contrast, has backup units that merely supply an image back to a rebooted primary and do not actually finish the processing of events, that there is no one-to-one correspondence between backup and primary units, that there is a lack of any teaching of any entity in Kidder that only finishes processing incomplete events but does not receive new events for processing. Entry and favorable examination of Applicant's amendment is respectfully requested.
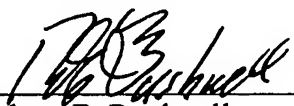
Applicant is also amending the specification by this amendment to correct for errors.

In view of the above, it is submitted that all of the claims now present in the application are patentable over the cited references, taken either alone or combination and accordingly should now be in a conditions suitable for allowance.

No other issues remaining, reconsideration and favorable action upon all of the claims now present in the application is respectfully requested.

A petition for a one month extension of time accompanies this response. The Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of $120.00. Should the petition become lost, the Commissioner is requested to treat this paragraph as a petition for an extension of time.

Respectfully submitted,

Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56919
Date: 10/12/06
I.D.: REB/ML

-12-